

**SPECIAL MEETING  
of the  
CITY OF RIALTO  
CITY COUNCIL**

**MINUTES  
December 15, 2015**

A special meeting of the City Council of the City of Rialto was held in the City Council Chambers located at 150 South Palm Avenue, Rialto, California 92376, on Tuesday, December 15, 2015.

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This meeting was called by the presiding officer of the Rialto City Council in accordance with the provisions of **Government Code §54956** of the State of California.

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**CALL TO ORDER**

Mayor Robertson called the meeting to order at 6:03 p.m.

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The roll was called and the following were present: Mayor Deborah Robertson, Mayor Pro Tem Joe Baca Jr., and Council Member Ed Palmer. Also present were Assistant City Administrator Robb Steel, City Attorney Fred Galante and City Clerk Barbara McGee. Council Members Ed Scott and Shawn O'Connell were absent.

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**PLEDGE OF ALLEGIANCE**

Mayor Robertson led the Pledge of Allegiance.

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**TAB 1**

City Attorney Galante presented the staff report regarding the Existence of a Local to Adopt Resolution No. 6867 Confirming the Emergency Throughout the City of Rialto, and Resolution No. 6868 Requesting the State Director of the Office of Emergency Services' Concurrence in Proclamation of Local Emergency.

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**TAB 1**

Council Member Palmer asked what is the necessity of doing this tonight? The only reason he sees if they were going to capture money they may have expended. It's his understanding that there is a methodology already by which they do that anyway. So, if they don't do this are they going to get the money back anyways?

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Fire Chief Fratus stated that they asked that question to the Director of OES of the County. The County also proclaimed the State of Emergency and in their proclamation they had put all cities in the County under the umbrella which is typical for them. Anything that affects multiple cities they do one that umbrellas everybody. However there is no penalty for proclaiming our own State of Emergency. The steps from here is that it will go through the County then to the State and then the State can decide if they will grant or deny it. If they grant it then they would be eligible for whatever funds they are going to release. If they deny it then they will defer back to the County's declaration and likely get reimbursed from there. As the City Attorney said this is an extra precaution.

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Mayor Robertson stated that it would be beneficial if Chief Fratus would share some of the activities that led up to the Declaration on Friday and the fact of during his fact finding with her and the City Administrator. They were informed that other cities were filing their own declarations. She never heard back if they followed through on that process but that was what was brought to them by the Congress Member.

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Chief Fratus stated he knows of two other cities that declared a Local Emergency, San Bernardino and Redlands. They have actual internal damages and even more with the County personnel. He had heard that the City of Colton might consider it. They were not affected. They would be more in the same situation as Rialto.

He stated that this is typical for a large scale emergency like this where they tapped out all of the resources they have had to help mitigate this. That occurred in the City of San Bernardino so it puts them at a different situation. Congressman Pete Aguilar had contacted several Mayors in the area and had advised them and he suggested they declare a State of Emergency.

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Mayor Robertson stated that was because they recognized that this was not consistent with the normal State of Emergencies of fires and floods.

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Council Member Palmer stated that the point is there is no threat of emergency in Rialto today, correct?

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**TAB 1**

Fire Chief Fratus stated that is correct.

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Council Member Palmer stated that he has received numerous calls from people today after this special meeting was called who were fearful of why this declaration of a State of Emergency in Rialto. If it's merely to recover money which they already have under the umbrella of the County the ability to do so. He finds it superfluous for them to be there to do this. What was the cost from the Fire Dept? Thousands of dollars?

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Fire Chief Fratus stated that they will be submitting for their initial damage assessment will be no more than \$600. This is calculated by committing one of the ambulances to them for 4.5 hours.

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Council Member Palmer stated that they would probably get that back anyway from under the umbrella of the County.

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Fire Chief Fratus stated that there are expenses from PD as well.

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Capt. Randy DeAnda stated that the Police Dept. costs included 10 SWAT members, a supervisor, a tactical dispatcher were called out to the location, estimated at \$2000. This doesn't include any equipment that may have been used. They did have to backfill a graveyard shift that night because the SWAT members were called out estimated at \$600.

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Council Member Palmer stated that is also covered under the County umbrella to submit for reimbursement?

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Capt. Randy DeAnda stated that that is correct.

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Council Member Palmer asked if to his knowledge has any other city ancillary to San Bernardino and Redlands where the attacks actually occurred.

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Capt. Randy DeAnda stated to his knowledge no, other than what Chief Fratus had put out.

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**TAB 1**

Mayor Pro Tem Baca Jr. stated that he understands they are covered under the County umbrella but he doesn't have a problem supporting this resolution as precautionary. He wanted to reassure the public to not be fearful this is more procedural to get reimbursed to ensure there are no issues. Maybe it's not a lot of money but it's some money. It's not the intent of City Council to instill fear. Rialto did play a role when that incident happened and if anything would to happen in Rialto they would appreciate help from the surrounding cities.

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Mayor Robertson stated that his is not an intent to send any fear into the community. It was a procedural process initiated by their Federal Representative recognizing that this is not a normal situation. The recovery is not the point as much as it is recognizing that they also played a role and subsequent to the initial day they had found themselves having the Rialto community being somewhat in a state of peril as well in that they still had activities and incidents in the school system and sites that brought in the Federal law enforcement into the community. If it's purely about capturing figures and recovery of the time and money spent that is one thing. On Friday when this came to her by Congressman Aguilar, she also called the City Administrator who is the person who has to make the Declaration. He in turn had Chief Fratus call her after Chief Fratus made the initial investigation as to the process. He talked to the County Director of Office of Emergency Services. They questioned why the Congress Member was raising this concern. From protocol processes, she doesn't think a Federal elected official is going to call the County OES to get direction. The Congress Member is looking out for his constituents. Nonetheless, she left the Chief and City Administrator with all of the fact findings to make their own call on making a Declaration. The next email she received was that the City Administrator advised the Assistant City Administrator that he wanted to make this Declaration. The City Administrator also spoke with the City Attorney. Again, out of that counsel and out of abundance of caution he made a decision to file this Declaration with the understanding that procedurally they had to do it by Friday. And they would have to have a special City Council Meeting to ratify the City Administrator's Declaration who also serves as the Director of Emergency Services for the City of Rialto. They are now at the point of dealing with a procedural process. She following through on the steps she was told that falls within her jurisdiction as presiding officer and the Mayor to ratify the City Administrator's action on Friday. At the same time they can also choose to declare that this emergency no longer exist.

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## **TAB 1**

City Attorney Galante stated that one other point was that it was eluded that if there are any ongoing expenses between the initial date and today would be submitted. He understands that there were some responses that the City did provide.

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Mayor Robertson stated that it was very traumatic situation and a lot of people who responded and saw things, they may have to deal with it as first responders later on. They don't know what all the costs are going to be associated with it.

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Motion by Mayor Robertson, second by Mayor Pro Tem Baca Jr. and carried by a 2-1 vote to Adopt Resolution No. 6867 Confirming the Emergency Throughout the City of Rialto, and Resolution No. 6868 Requesting the State Director of the Office of Emergency Services' Concurrence in Proclamation of Local Emergency and Resolution No. 6869 terminating the local emergency.

The vote was: AYES: Mayor Robertson and Mayor Pro Tem Baca Jr. NOES: Council Member Palmer. ABSTAIN: none. ABSENT: Council Members O'Connell and Scott.

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## **ADJOURNMENT**

Motion by Mayor Robertson, second by Mayor Pro Tem Baca Jr. and carried by a 3-0 vote, Council Members O'Connell and Scott were absent, to adjourn the City Council meeting at 6:35 p.m. in honor of:

**William Henry (Ratibu) Jacocks,**

Rialto Resident and husband of Former Assemblymember Wilmer Amina Carter

**Kenneth Chapman**

Rialto Resident and husband of Linda Chapman

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